



MINUTES  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA

Regular Meetings: The  
First, Second, And Third  
Tuesday of each month

Regular Meeting

County Courthouse,  
Bridgeport, CA 93517

September 15, 2009

9:00 AM Meeting called to order by Chairman Reid.

Pledge of Allegiance led by Brian Muir.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD  
**No One Spoke.**

**BOARD MEMBER REPORTS**

**Supervisor Bauer:**

- 1) YARTS short range transit plan it targeted for early March.
- 2) June Lake Trails Plan is still going forward. We, as a Board, need to give them a letter. I will follow through with this.
- 3) I received an email from Senator Boxer's Office that they received our Walker Basin Resolution. They had not heard but will be looking into it.

**Supervisor Farnetti:**

- 1) Attended meeting regarding the new Mammoth Lakes Courthouse building. The main issue is the architecture. It is more of an urban design. The only real impact that we can do at this time, would be possibly planting trees to soften the design lines.

**Supervisor Hazard:**

- 1) 9/9 Attended the CSAC meeting. I reported on the Williamson Act & Subvention.
- 2) The topic of prison overcrowding was a major issue with much discussion on possible plans for reducing the number of inmates.
- 3) Met with Congressman Tom Berryhill and Dave Cox. Talked about: a) subvention of the Fish and Game and keeping it at the state level, b) Furloughs regarding Cal Trans, c) the Walker River Basin Water Acquisition issue, d) Updated the Congressmen on the Digital 395, e) Also discussed the SB88 opposition.
- 4) Lower Rock Creek Road: received citizen complaints regarding the safety of the organized biking events.

**Supervisor Hunt:**

- 1) 9/9 Attended the Mammoth Lakes Courthouse design meeting. The design is not appropriate for Mammoth Lakes, it includes cement blocks, a flat roof, windows on north side.

Ground breaking is tentatively planned to take place next spring. I believe we need to create a dramatic statement at the entry to Mammoth Lakes. The AOC architecture/engineers will lightly modify their design.

2) 9/10 Attended the Rotary's Local Heroes Day which included a BBQ. It was very successful and well attended.

3) 9/12 Attended the Rotary's Bike Event-bad weather dampened the event.

4) Next week I plan on attending the RCRC meeting.

**Supervisor Reid:**

1) Attended the Bridgeport RPAC meeting last week.

2) Clampers had approximately 400 members present at their annual event in Bridgeport.

3) Visited the Walker Senior Center, my wife and myself received our flu shots.

4) Starting Sunday, September 20<sup>th</sup> I will be gone for 7-8 days.

**COUNTY ADMINISTRATIVE OFFICE**

1)

CAO Report regarding Board Assignments (David Wilbrecht)

Dave Wilbrecht, CAO: Not present.

**Brian Muir, Director of Finance:**

1) Terry Ross is reviewing and researching the position qualifications of the vacant position of Deputy CAO/HR.

2) I attended last Wednesday's night meeting of the Antelope Fire District. It was agreed upon that the rental fee would be \$275/ month.

2)

**APPROVAL OF MINUTES**

**M09-217**

A. Approve minutes of the Regular Meeting held September 1, 2009.

**Hazard/Farnetti 5-0**

**M09-218**

B. Approve minutes of the Special Meetings held August 24, 25, 26, 2009.

**Hunt/Bauer 5-0**

**CLOSED SESSION**

**COUNTY COUNSEL**

3a)

Closed Session - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.

**COUNTY ADMINISTRATIVE OFFICE**

4a)

Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.

Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Mary Booher, and Rita Sherman. Unrepresented employee(s): Finance Director.

4b)

Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.

Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, Mary Booher, and Rita Sherman. Unrepresented employee(s): Social Services Director.

4c)

Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.

Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, Mary Booher, and Rita Sherman.  
Unrepresented employee(s): Assistant Finance Director (Treasurer-Tax Collector's Office).

4d) Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.  
Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, Mary Booher, and Rita Sherman.  
Unrepresented employee(s): Public Health Director.

4e) Risk Management - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claim of John Aronson.  
**No Report from Closed Session.**

Closed Session from 9:02 a.m. to 9:44 a.m.  
Break 9:44 a.m. to 9:51 a.m.  
Break 11:09 a.m. to 11:18 a.m.  
Public Hearing Opened at 11:42 a.m. (Bryant Field Airport Use Permit)  
Public Hearing Closed at 11:44 a.m.  
Lunch 12:22 p.m. to 1:20 p.m.  
Public Hearing Opened at 1:55 p.m. (County Budget FY 2009-2010)  
Public Hearing Closed at 1:55 p.m. after no public comment.

## DEPARTMENT REPORTS/EMERGING ISSUES

### **Jody Henning, Mono County Assessor:**

1) Introduced Chris Lyon as the new Appraisal Operations Manager

### **Chris Lyon, Appraisal Operations Manager**

1) I am very excited to be here and I appreciate everyone's support.

### **Mary Booher, Financial Analyst:**

1) I received notice on Wednesday that we have received the Housing Preservation Grant in the amount of \$49,000. This will go towards the rehab of rental units. I will bring the proposal before the Board in the next few weeks.

### **Jeff Walters, Public Works Assistant Director:**

1) We have received the new ambulance for the Paramedics. Radios have been installed and the only minor glitch was in the lettering, but that has been corrected.

### **Evan Nikirk, Public Works Director:**

1) Landscape work has started on the Annex I planter by Mono Works out of Mammoth Lakes. Similar landscape will wrap around the Library, which belongs to the Department of Education, but they have agreed to continue with the landscape project. This includes adding trees, shrubs, mounds of dirt, bark and an irrigation system.  
2) I am presently researching the option of having an automated phone service in Public Works. It will be similar to the system that the Sheriff's office uses. There will be a menu of about five selections.  
Supervisor Hazard: I would definitely like to see an option to be able to reach a receptionist.  
Supervisor Reid: I would like to see this used on a trial bases.

**Brian Muir, Finance Director:**

- 1) The outside auditors left last week. We had no problems. I'm expecting a draft report shortly.
- 2) Prop 1A did not pass. Special Districts must make their own applications, we cannot do it for them.
- 3) TRG needs study is complete. I should have the hard copies this afternoon. This is a 100 page document. After receiving the copies, I will schedule a workshop for the Board.
- 4) I have scheduled an Accounting Fiscal Training with a UC Davis instructor for 9/28-29-30.
- 5) My staff is working with the Town of Mammoth Lakes in regards to their Transient Occupancy Tax ordinance and assisting in audits.

**Garrett Higerd, Public Works Engineer:**

- 1) We have received the Prop 1B 2009/10 grant funding of \$1.333 million. We will be coming to the Board, in the near future, with our recommended projects.

**CONSENT AGENDA**

**COUNTY COUNSEL**

- 5a) Grading Ordinance Amendment - Adopt proposed ordinance amending certain sections of Chapter 13.08 of the Mono County Code pertaining to land clearing, earthwork, and drainage facilities.

**ORD09-03 Action:** Adopt ordinance ORD09-03 amending certain sections of Chapter 13.08 of the Mono County Code pertaining to land clearing, earthwork, and drainage facilities.

**Bauer/Farnetti 5-0**

**REGULAR AGENDA**

**CORRESPONDENCE RECEIVED**

**CLERK-RECORDER**

- 6a) Courthouse Cannon - Email letter addressed to the Board of Supervisors regarding the historic Mono County Courthouse cannon.
- Jeff Walters:** Distributed a copy of his response letter addressing a correspondence received from Mr. Allan Fishbein. After receiving Mr. Fishbein's first letter last year, we sealed the cannon with Thompson's Water Sealant. I was really disappointed with Mr. Fishbein's second correspondence because we took immediate action regarding his first request.
- Supervisor Reid: I would prefer to have the Board Chair sign the response letter. I find this correspondence very insulting and threatening.
- Supervisor Hazard: Regarding the 3<sup>rd</sup> paragraph-I do not feel that we need to explain the Public Works' maintenance policy to him so I am requesting that this paragraph be deleted.
- Supervisor Farnetti: I know that Public Works responded to the original letter/request very quickly.
- Supervisor Hunt: I will support this letter with the chair's signature.
- The Board agreed to delete paragraph 3 and approved delivery of the response letter to Mr. Fishbein.

**FINANCE**

- 7a) Ordinance Amending Board of Supervisors' Compensation (Brian Muir) - Consider and potentially introduce, read title, and waive further reading of ordinance amending sections 2.04.030 and 2.04.070 of the Mono County Code

pertaining to compensation of the Board of Supervisors. Provide any desired direction to staff.

- M09-219**      **Action:** Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting on October 6, 2009, and direct staff to review and suggest auto allowance consistency.

**Brian Muir:**

1) COLA allowance for the Board was deferred voluntarily until after the budget hearings. This compensation will become effective 60 days after passage.

Supervisor Hazard: I have noticed that the auto allowance in this ordinance is not the same as management's vehicle allowance. I would like to see both of these being the same.

Supervisor Reid: Stated that in January the Board voted not to take this increase.

**Hazard/Bauer 5-0**

#### COUNTY ADMINISTRATIVE OFFICE

- 8a)      Human Resources (Mary Booher and Rita Sherman) - Consider and potentially adopt proposed resolution rescinding the recent elimination of one position in the Public Health Department and rescinding the layoff of one employee who currently fills that position. Receive staff report. Provide any desired direction to staff.

**Mary Booher, Financial Analyst:**

1) We can rescind this layoff due to Public Health receiving more funding.

- R09-64**      **Action:** Adopt Resolution R09-64 rescinding the recent elimination of one position in the Public Health Department and rescinding the layoff of one employee who currently fills that position by using a portion of the Emergency Preparedness funds.

**Hazard/Hunt 5-0**

- 8b)      Human Resources-vacancy review (Mary Booher, Rita Sherman) - Receive presentation by Mary Booher and Rita Sherman regarding current position vacancies. Provide any desired direction to staff.

**Mary Booher:** Vacancies discussed:

- 1) Road Maintenance Worker II/II-Crowley: hold until mid year
- 2) Deputy Probation Officer: continue to recruit and bring back to Board
- 3) Animal Control Officer (2 positions): continue to recruit
- 4) Mental Health Fiscal Officer: recruitment has been extended until October
- 5) Appraisal Operations Manger: filled
- 6) Social Services Eligibility & Training Worker: interviews scheduled for Thursday this week.
- 7) Loss Prevention and Special Events: pending approval from the Union
- 8) PW Inventory and Purchasing Technician: interviews scheduled for late next week
- 9) Sheriff Pubic Safety Officer: interviews scheduled for next week.
- 10) Public Health Nurse: have 2 applicants
- 11) FTS I/II/III-County Counsel: continue with temporary staff until mid year
- 12) Transportation Analyst: position description/qualifications may be transformed, continue with temporary staff
- 13) Cook/Driver: open for recruitment
- 14) Senior Services Site Coordinator: open for recruitment
- 15) Public Safety Officer: new position
- 16) Deputy Sheriff: new position

- 17) Sheriff Safety Officer: new position
  - 18) Deputy CAO/HR: currently reviewing this vacant position
- Booher: All of these positions have been included in the 2009-10 Budget.

**No action taken by the Board.**

## BOARD OF SUPERVISORS

- 9a) Williamson Act Subventions (Board of Supervisors) - Proposed letter addressed to Governor Schwarzenegger supporting the Williamson Act subventions. Supervisor Farnetti: If this funding goes away, it will take a good piece of California's agricultural land.

**M09-220 Action:** Approve letter to Governor Schwarzenegger requesting the restoration of Open Space Subvention funding in the 2010-11 State Budget.  
**Farnetti/Hazard 5-0**

- 9b) State Budget (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.  
**Brian Muir:**  
1) Securitization of Prop 1A: Mechanics of how Prop 1A works - bonds are issued and the payment comes directly from the State of California. We are prepared to certify when needed.

**No Action taken by the Board.**

- 9c) Carbon Cap and Trade Program (Supervisor Bauer) - The Board will discuss and consider adopting R09-\_\_\_ "A resolution of the Board of Supervisors of Mono County opposing new taxes on state or local governments, employers or households through federal climate revenues collection". Supervisor Bauer asked to have this item agendized.  
After much discussion, the Board agreed they do not have sufficient information to sign the resolution. They did agree with NACo's stand to have an in-depth study and evaluation of the program. Supervisor Bauer offered to contact NACo and possibly draft a letter to deliver to our Congressmen.

**No Action taken by the Board.**

## PUBLIC WORKS

- 10a) PUBLIC HEARING--Bryant Field Airport Use Permit (Kelly Garcia, Assistant Public Works Director; Allen Berrey, Assistant County Counsel) - Consideration of application of Aerohaus LLC for an Airport Use Permit allowing it direct access to Bryant Field from nine aircraft hangars that Aerohaus proposes to install on its private property adjacent to Bryant Field (commonly referred to as a "through-the-fence" arrangement). Provide any desired direction to staff.  
**Allen Berrey, Assistant County Counsel:**  
There are three actual items to consider in allowing Aerohaus LLC, Jim Severson's, owner, requests: 1) Director's Review approval of construction of nine airplane hangars; 2) through-the-fence permit; 3) environmental review. Resolution R06-111 requested approval from the Bryant Field Airport Advisory Committee, however there is no such committee at this time. LDTAC will qualify to fulfill this requirement. LDTAC recommends that the Board approve the through-the-fence permit. The permit will include that if the FAA has an issue with the permit, the permit will be pulled. One permit will be issued to Aerohaus, LLC and they will police their tenants. A fee

of \$25 per month per occupied hangar was approved.

**Public Hearing Opened at 11:42 a.m.**

Jimmy Severson, Aerohaus, LLC addressed the Board. They plan to build four hangars first and add five more later. Long term leases (5year).

**Public Hearing Closed at 11:44 a.m.**

Supervisor Hazard: My concerns are 1) we need to work closely with the fire department; 2) how will the hangars be used: aircraft storage or be used for other storage; 3) Can the County check these hangars at all times; 4) I do not want to jeopardize any funding we receive from the FAA; 5) possibility of a self closing remote gate for security.

Allen Berrey: The permit strictly points out the hangars are for personal aircraft only.

Supervisor Reid: I believe this will be a real asset to Bridgeport.

**R09-65**

**Action:** Adopt Resolution R09-65 approving Aerohaus LLC's application for an Airport Use Permit allowing "Through-The-Fence" access to Bryant Field from Aerohaus's property adjacent to Bryant Field and taking actions related to that approval.

**Bauer, Hazard 5-0**

**COMMUNITY DEVELOPMENT - BUILDING DIVISION**

**11a)**

Construction Board of Appeals - Members Appointments (Rick McManis) - Receive presentation by County Building Official Rick McManis regarding appointment of Mono County Construction Appeals Board. Consider the submitted list of Mono County residents in the staff report and provide any desired direction to staff.

**Rick McManis, Building Official:**

- 1) Mono County Code allows for a construction appeals board.
- 2) McManis will serve as a nonvoting official.
- 3) I have not had any appeals since I have been here. I do have one person who is presently inquiring.

- 4) There will be a filing fee, which will be presented for consideration at a later date.

Board recommendations: 1) have staggering terms; 2) have one or two alternates; 3) representation from both north and south county; 4) submit a resume and application; 5) treat this board the same as other county boards ex: reimbursement, mileage; 6) not limit membership to three, possibly five.

Marshall Rudolph, County Counsel, will work on a policy to make reimbursements consistent for these boards.

**Action: No Action taken by the Board.**

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD** on items of public interest that are within the subject matter jurisdiction of the Board.

(Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**No One Spoke.**

## PUBLIC WORKS

- 12a) Bid Award for Roof Replacement at the Sheriff's Office and Jail Facility (Kelly Garcia) - Receive staff report concerning bids received in response to solicitation for bids, bid protests received (if any), and responsibility of the apparent low bidder for the Roof Replacement at the Sheriff's Office and Jail Facility. Consider and potentially authorize the Public Works Director to enter into and administer an agreement for the work. Provide any desired direction to staff.

**M09-221**      **Action:** 1) Identify Rudolph Construction, Inc. as responsible bidder submitting the lowest bid; 2) award contract to Rudolph Construction, Inc. for Roof Replacement at the Sheriff's Office and Jail Facility, in an amount not to exceed \$310,920; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in a cumulative amount not to exceed \$28,046, provided such amendments do not substantially alter the scope of work and are approved as to form and legality by County Counsel.

**Hunt/Hazard 5-0**

- 12b) Contract Award for the Swall Meadows Streets Rehabilitation Project (Garrett Higerd) - Receive staff report concerning bids received in response to solicitation for bids, bid protests received (if any), and responsibility of the apparent low bidder for the Rehabilitation of Swall Meadows Streets. Consider and potentially authorize the Public Works Director to enter into and administer an agreement for the work. Provide any desired direction to staff.

**M09-222**      **Action:** 1) identify Qualcon Contractors, Inc.(Minden, NV) as responsible bidder submitting the lowest bid; 2) award contract to Qualcon Contractors, Inc. for Rehabilitation of the Swall Meadows Streets, in an amount not to exceed \$1,384,853; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in a cumulative amount not to exceed \$81,742.65, provided such amendments do not substantially alter the scope of work and are approved as to form and legality by County Counsel.

**Hazard/Bauer 5-0**

## HEALTH DEPARTMENT

- 13a) Ratification of Local Health Emergency (Dr. Richard Johnson, County Health Officer) - Proposed Resolution Ratifying a Declaration of Local Health Emergency and Continuing State of Local Health Emergency.  
**Dr. Richard Johnson, Mono County Health Officer:**



This Local Health Emergency resolution is an 'administrative tool' in anticipation of an emergency. It will also allow for the paramedics to give vaccinations, if needed. I believe the influenza peak will be in the next 4-6 weeks. This strain spreads easily and very difficult to kill. We have started our seasonal vaccinations in Walker. The flu victim from District Four has been discharged from the hospital. He is a resident of Nevada so I will not receive any progress reports.

Supervisor Hazard: I am not ready to call a local health emergency and cause undo concern.

This Declaration must be ratified again in 14 days. A Special Meeting of the Board of Supervisors will be called on September 29, 2009. This meeting can be a conference call.

**R09-66      Action:** Adopt Resolution R09-66 ratifying a Declaration of Local Health Emergency and Continuing State of Local Health Emergency.  
**Bauer/Hunt 4-1 Hazard-no**

**FINANCE**

14a)      PUBLIC HEARING: County Budget Fiscal Year 2009-2010 (Brian Muir) -  
1:30 pm      Receive staff report. Conduct public hearing regarding fiscal year 2009-2010 County budget. Consider resolution adopting final Mono County budget for fiscal year 2009-2010. The 2009-2010 Proposed Final Budget is available on the Auditor-Controller's website.

**Brian Muir:** The 2009/10 Budget has been published as required by law. I have not received any communication from anyone regarding the budget.

**Public Hearing Opened and Closed at 1:55 p.m. after no one was present to speak.**

**R09-67      Action:** Adopt Resolution R09-67 adopting final Mono County budget for fiscal year 2009-2010.  
**Hunt/Hazard 5-0**

Meeting adjourned at 2:18 p.m.

§§§§§

---

**BILL REID, CHAIRMAN**

Board of Supervisors  
County of Mono

**ATTEST:**

---

**LINDA ROMERO**

Assistant Clerk to the Board